

1 MAYER BROWN LLP
2 JOHN NADOLENCO (SBN 181128)
3 *jnadolenco@mayerbrown.com*
4 NEIL M. SOLTMAN (SBN 67617)
5 *nsoltman@mayerbrown.com*
6 MATTHEW H. MARMOLEJO (SBN 242964)
7 *mmarmolejo@mayerbrown.com*
8 ANDREW Z. EDELSTEIN (SBN 218023)
9 *aedelstein@mayerbrown.com*
10 350 South Grand Avenue, 25th Floor
11 Los Angeles, CA 90071-1503
12 Telephone: (213) 229-9500
13 Facsimile: (213) 625-0248

8 HERZFELD & RUBIN, P.C.
9 JEFFREY L. CHASE (*pro hac vice* to be submitted)
10 *JChase@herzfeld-rubin.com*
11 MICHAEL B. GALLUB (*pro hac vice* to be submitted)
12 *MGallub@herzfeld-rubin.com*
13 MARK A. WEISSMAN (*pro hac vice* to be submitted)
14 *MWeissman@herzfeld-rubin.com*
15 125 Broad Street
16 New York, NY 10004
17 Telephone: (212) 471-8500
18 Facsimile: (212) 344-3333

19 Attorneys for Defendant
20 Volkswagen Group of America, Inc.

21 **UNITED STATES DISTRICT COURT**
22 **NORTHERN DISTRICT OF CALIFORNIA**

23 HOWARD CARO and JOHN T. COATES,
24 individually and on behalf of all others similarly
25 situated,

26 Plaintiffs,

27 v.

28 VOLKSWAGEN GROUP OF AMERICA,
INC., a New Jersey Corporation,

Defendant.

Case No. 3:15-CV-04653-JCS

**STIPULATION TO EXTEND TIME TO
RESPOND TO THE COMPLAINT**

Magistrate Judge: Joseph C. Spero

Complaint Filed: October 7, 2015

1 Plaintiffs and Defendant Volkswagen Group of America, Inc. (“VWGoA”), by and
2 through their respective counsel, hereby stipulate as follows:

3 WHEREAS, Plaintiffs filed their putative Class Action Complaint in this Court on or
4 about October 7, 2015;

5 WHEREAS, Plaintiffs served VWGoA on October 9, 2015 and absent an extension,
6 VWGoA’s responsive pleading would be due on or by October 30, 2015;

7 WHEREAS, a thirty-day extension to the Class Action Complaint falls on Sunday,
8 November 29, 2015, which results in the date for VWGoA’s extended initial response to the
9 Class Action Complaint falling on Monday, November 30, 2015. *See* Fed. R. Civ. P. 6(a)(1)(C);
10 and

11 WHEREAS, the requested extension will not alter the date for any event or deadline
12 already fixed by Court order in this matter.

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
14 counsel for Plaintiffs and counsel for VWGoA, that:

15 1. VWGoA shall have up to and including November 30, 2015 to answer, move,
16 plead or otherwise respond to the Class Action Complaint.

17 2. The entering into of this Stipulation is not a waiver of any objection or defense
18 that VWGoA or any other party to this action might raise in any subsequent answer, motion,
19 pleading or response to the Class Action Complaint.

20 3. This Stipulation is made without prejudice to the right of any or all parties to seek
21 a further extension of these or any other deadlines for good cause shown.

22 Pursuant to General Order No. 45, I, Matthew H. Marmolejo, attest that I obtained
23 concurrence in the filing of this document from the signatories.

24 ///

25 ///

26 ///

27 ///

28 ///

IT IS SO STIPULATED.

Dated: October 30, 2015

MAYER BROWN LLP
NEIL M. SOLTMAN
JOHN NADOLENCO
MATTHEW H. MARMOLEJO
ANDREW Z. EDELSTEIN

HERZFELD & RUBIN, P.C.
JEFFREY L. CHASE
MICHAEL B. GALLUB
MARK A. WEISSMAN

By: s/ Matthew H. Marmolejo
Matthew H. Marmolejo
Attorneys for Defendant
Volkswagen Group of America, Inc.

Dated: October 30, 2015

BERMAN DEVALERIO
JOSEPH J. TABACCO, JR.
NICOLE LAVALLEE
A. CHOWNING POPPLER
NORMAN BERMAN
LESLIE STERN
NATHANIEL L. ORENSTEIN
MARK DELANEY

By: s/ Nicole Lavallee
Nicole Lavallee
Attorneys for Plaintiffs

Dated: 11/2/15

